

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Supervising Deputy Clerk. Honorable Timothy S. Buckley, Associate Justice was not present.

F042656 Cindy J. v. Superior Court of Kings County; Kings Co. Dept. of Human Services

Petitioner Cindy J. appeared in propria persona. Petitioner advised the court she would not stipulate to the absent of Justice Buckley for this hearing.

Cause called. Court ordered this matter continued to a date and time to be determined by the court

F042699 Belinda D. v. Superior Court of Fresno County; Fresno County Dept. of Children & Family Services

Parties stipulate that (1) Buckley J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Colin McKibbin, Esq., counsel for petitioner and by Howard Watkins, Esq., Deputy County Counsel, counsel for real party.

Submission deferred until Thursday, June 19, 2003 for Buckley J. to listen to the tape recording of oral argument.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Senior Deputy Clerk.

F039752 People v. Smith

Cause called and argued by Jerome P. Wallingford, Esq., counsel for appellant. Brian Alvarez, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

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F039671 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al.

F039793 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al.

Cause called and argued by Timothy D. McCollum, Esq., counsel for appellant and by Charles A. Bird, Esq., counsel for respondent Charles Ashley and by R. Frank Butler, Esq., counsel for respondent John Galbreath.

Cause ordered submitted.

Court recessed until Friday, June 13, 2003 at 10:00 A.M.

F042618 In re Marianntonete H., a Minor

No brief having been filed by appellant after notice duly given, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039758 People v. Tarin

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F040982 People v. Manson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040982 People v. Manson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F040405 Thornton v. McClatchy Newspapers, Inc.

Pursuant to written stipulation of the parties hereto, IT IS
HEREBY ORDERED that the appeal in the above-entitled action is
dismissed and the parties shall bear their own fees and costs on appeal.

F042408 Koach v. Gates

Appellant having filed an abandonment and/or request for
dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the
above-entitled action is dismissed.

F040563 Dozier v. Department of Motor Vehicles

The judgment is reversed. Dibiaso, Acting P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]